



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

100 CALIFORNIA STREET

SAN FRANCISCO, CALIFORNIA 94111

U.S. ENVIRONMENTAL PROTECTION AGENCY
NOTICE OF PUBLIC HEARING AND REQUEST FOR STATE PROGRAM APPROVAL
TO CONTROL DISCHARGES OF POLLUTANTS TO NAVIGABLE WATERS
BY THE STATE OF HAWAII

The State of Hawaii has submitted a request for approval of its program to control discharges of pollutants to navigable waters under section 402 of the Federal Water Pollution Control Act Amendments of 1972 (the Act), 33 U.S.C.A Section 1342(b).

A public hearing to consider this request will be held on October 10, 1974, at the State Capitol Building, Legislative Auditorium (Chamber Level), Beretania and Richards Streets, Honolulu, Hawaii, starting at 1:30 p.m. and 7:00 p.m.

The hearing panel will consist of the Environmental Protection Agency Administrator, who will serve as the Presiding Officer, the Director of the Hawaii State Department of Health, and the Environmental Protection Agency Regional Administrator, Region IX, or the representatives of these persons.

Section 402(b) of the Act provides that the Governor of a State desiring to administer the National Pollutant Discharge Elimination System (NPDES) permit program to control discharges into navigable waters within its jurisdiction may submit to the Administrator of the United States Environmental Protection Agency (EPA) a full and complete description of the program the State intends to administer, including a statement from the State's Attorney General that its laws provide adequate authority to carry out the program described. The Administrator is required to approve each such submitted program unless it does not meet the requirements of section 402(b) and EPA's guidelines. To administer the NPDES program the State must have the authority, among others, to: (1) issue permits which comply

with all pertinent requirements of the Act, (2) abate violations of permits or the permit program including civil and criminal penalties, and (3) ensure that the Administrator, the public, and any affected States and agencies are given notice of and opportunity for a public hearing with regard to each permit application. The State must also have and commit itself to use manpower and resources sufficient to act on all outstanding permit applications in a timely manner and consistent with the periods prescribed by the Act. /EPA's guidelines establishing State Program Elements Necessary for Participation in the NPDES were published in Volume 37 of the Federal Register, December 22, 1972 (43 C.F.R. Part 124) beginning at page 28390./

The State of Hawaii proposes that the Hawaii State Department of Health, 1250 Punchbowl Street, P.O. Box 3378, Honolulu, Hawaii 96801 (area code 808/548-3077), operate this program for control of discharges into navigable waters of the State in compliance with the Act. The chief officials are Jack Burns, Governor of Hawaii, Dr. Walter B. Quisenberry, Director, Hawaii State Department of Health, and Dr. Henri Minette, Assistant Director, Environmental Protection and Health Services Division of the Hawaii State Department of Health.

This request and program description may be inspected by the public at the offices of the Hawaii State Department of Health at the above address, the Environmental Protection Agency, Pacific Island Basins Office, 1000 Bishop Street, Suite 601, Honolulu, Hawaii 96813 (area code 808/546-8910), or at the United States Environmental Protection Agency, Region IX, 100 California Street, San Francisco, California 94111 (area code 415/556-3450).

All interested persons wishing to comment upon the State's request or its program submission are invited to appear at the public hearing to present their views. Written comments may be presented at the hearing or submitted by October 10, 1974, either in person or by mail, to the Environmental Protection

Agency, Region IX, at the previously mentioned address.

Oral statements will be received and considered, but for the accuracy of the record, all testimony should be submitted in writing. Statements should summarize extensive written material so that there will be time for all interested persons to be heard. Persons submitting written statements are encouraged to furnish additional copies for the use of the hearing panel and other interested persons. The Presiding Officer may, at his discretion, exclude oral testimony if it is overly repetitious or irrelevant to the decision to approve or require revision to the State program as submitted.

All comments received by October 10, 1974, or presented at the public hearing will be considered by the Environmental Protection Agency in taking final action on Hawaii's request for state program approval.

Please bring the foregoing to the attention of persons whom you know would be interested.

Alan G. Kirk II
Assistant Administrator for
Enforcement and General Counsel